

Fee only



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 555255012578

Group Art Unit: 2863)
Examiner: Tung S. Lau)
Inventor: JIN, et al.)
Serial No.: 10/668,763)
Filed: September 23, 2003)
For: System and Method of Battery)
Capacity Estimation)

**SECOND
RESPONSE TO FINAL
OFFICE ACTION**

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 8, 2005.

By

Debra Pejean

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Advisory Action mailed on July 14, 2005 and in further response to the Office Action mailed on April 6, 2005, please amend the above-titled application as follows.

This Second Response is being filed with a Request for Continued Examination (RCE) in accordance with 37 CFR 1.114 and MPEP 706.07(h). A petition and fee for a one month

extension of time is also enclosed. Any additional fees due should be charged to Jones Day

Deposit Account No. 501432, ref: 555255012578.

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REMARKS

Claims 23-56 remain pending in the Application, and stand rejected by the Examiner. Applicants request reconsideration in light of these amendments and remarks.

Examiner's Interview

Applicants' representative, Joseph M. Sauer, thanks Examiner Lau for the courtesies extended during the telephone interview on August 4, 2005. During the interview, the pending claims and cited Satake reference (U.S. 6,198,254) were discussed. The remarks contained herein further summarize the interview.

Claim Rejections

Claims 23, 25, 26, 31-37, 39-41, 44, 46-49, 51, and 54-56 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Satake. Claims 24, 38 and 50 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Satake in view of Branham (U.S. 4,297,639), and claims 27-30, 42, 43, 45, 52 and 53 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Satake in view of Weiss (U.S. 5,949,219).

Each of the independent claims have been amended to recite the limitation of determining a voltage threshold where an operation of the device is shut-off but at least one operation of the mobile device remains operational, or a similar variation of this limitation. In the telephone interview, the Examiner indicated that this limitation overcomes the rejection based on Satake.

Conclusion

For the above reasons, Applicants respectfully submit that the pending claims as amended are allowable. The Examiner is therefore respectfully requested to pass this case to issue.